# IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

ANDREW G. MCCABE,	)
Plaintiff,	)
v.	) ) Civil Action No. 19-2399
WILLIAM P. BARR,	)
in his official capacity as	)
ATTORNEY GENERAL OF THE	)
UNITED STATES, et al.,	)
	)
Defendants.	)
	)

#### **AFFIDAVIT OF RETURN OF SERVICE**

- I, Murad Hussain, hereby declare and state as follows:
- 1. I am an attorney at Arnold & Porter Kaye Scholer LLP, and I am Plaintiff's attorney of record in the above-captioned matter. I am filing this Affidavit of Return of Service in connection with the complaint filed in the above-captioned matter on August 8, 2019.
- 2. On August 12, 2019, I caused to be sent via certified U.S. mail a copy of the complaint (with exhibit), summons, and Docket Entries 3 and 5 in this matter directly to Defendants William P. Barr, in his official capacity as Attorney General of the United States; U.S. Department of Justice; Christopher A. Wray, in his official capacity as Director of the Federal Bureau of Investigation; and Federal Bureau of Investigation. (*See* Ex. A (Proof of Service Affidavits of Ryan D. White); Ex. B (certified mail receipts).) According to the U.S. Postal Service website, the above-referenced documents were delivered on August 16, 2019, except for Defendant Barr's delivery, which was completed on August 19, 2019. (*See* Ex. C. (U.S. Postal Service delivery confirmation webpage).)

3. On August 12, 2019, I caused to be sent via certified U.S. mail a copy of the complaint (with exhibit), summons, and Docket Entries 3 and 5 in this matter to Jessie K. Liu, U.S. Attorney for the District of Columbia, as required by Federal Rule of Civil Procedure 4(i) for service on Defendants. (*See* Exs. A & B.) According to the U.S. Postal Service website, the above-referenced documents were delivered on August 19, 2019. (*See* Ex. C.)

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 19, 2019. Respectfully submitted,

/s/ Murad Hussain

Howard N. Cayne (D.C. Bar. No. 331306) Murad Hussain (D.C. Bar. No. 999278) Owen Dunn (D.C. Bar. No. 1044290) Ryan D. White (D.C. Bar No. 1655918) ARNOLD & PORTER KAYE SCHOLER LLP 601 Massachusetts Avenue, NW Washington, DC 20001-3743 Telephone: (202) 942-5000

Fax: (202) 942-5999

Attorneys for Plaintiff Andrew G. McCabe

# **EXHIBIT A**

### UNITED STATES DISTRICT COURT

for the

District of Columbia

ANDREW G. MCCABE	) ) )
Plaintiff(s)  V.  WILLIAM P. BARR, in his official capacity as ATTORNEY GENERAL OF THE UNITED STATES; U.S. DEPARTMENT OF JUSTICE; CHRISTOPHER A. WRAY, in his official capacity as DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION; and FEDERAL BUREAU OF INVESTIGATION.	Civil Action No.
Defendant(s)	)

#### SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

William P. Barr, in his official capacity as Attorney General of the United States U.S. Department of Justice 950 Pennsylvania Avenue, N.W. Washington, DC 20530

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, whose name and address are:

Howard N. Cayne Murad Hussain

Owen Dunn
Ryan D. White
ARNOLD & PORTER KAYE SCHOLER LLP

601 Massachusetts Avenue, N.W. Washington, DC 20001-3743 (202) 942-5000



Civil Action No. 19-2399

### PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (1))

	This summons for (na	me of individual and title, if any)	William P. Barr, Attorney General of the United	d States
was re	ceived by me on (date)	August 9, 2019		
	☐ I personally served	d the summons on the indivi-	dual at(place)	
			on (date)	; or
	☐ I left the summons	s at the individual's residenc	e or usual place of abode with (name)	
		, a <sub>]</sub>	person of suitable age and discretion who res	sides there,
	on (date)	, and mailed a cop	by to the individual's last known address; or	
	☐ I served the summ	ons on (name of individual)		, who is
	designated by law to	accept service of process or	n behalf of (name of organization)	
		-	on (date)	; or
	☐ I returned the sum	mons unexecuted because		; or
	Other (specify):			
	On Augus on Attorn	st 12, 2019, I caused to be servey ey General William P. Barr, wh	red via certified mail a copy of the summons and ich was delivered on August 19, 2019.	the complaint
	My fees are \$	for travel and \$	for services, for a total of \$	0.00
	I declare under penalt	y of perjury that this inform	ation is true.	
Date:	8/19/19		Thela	
			Server's signature	
		ı	Ryan D. White, Associate	
			Printed name and title	
			n Massachusetts Ave NW ashington, DC 20001	
			Server's address	

### UNITED STATES DISTRICT COURT

for the

District of Columbia

ì	
Plaintiff(s)  V.  WILLIAM P. BARR, in his official capacity as ATTORNEY GENERAL OF THE UNITED STATES; U.S. DEPARTMENT OF JUSTICE; CHRISTOPHER A. WRAY, in his official capacity as DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION; and FEDERAL BUREAU OF INVESTIGATION.  Defendant(s)  Defendant(s)	19-cv-02399-RDM

#### SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

Date:

U.S. Department of Justice 950 Pennsylvania Avenue, N.W. Washington, DC 20530

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, whose name and address are:

Howard N. Cayne Murad Hussain

Owen Dunn
Ryan D. White
ARNOLD & PORTER KAYE SCHOLER LLP

601 Massachusetts Avenue, N.W. Washington, DC 20001-3743 (202) 942-5000

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

8/9/2019

ANGELA D. CAESAR, CLERK OF COURT

/s/ Erica Garmendez

Signature of Clerk or Deputy Clerk

Civil Action No. 19-2399

### PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (1))

	This summons for	or (name of individual and title, if any)	U.S. Department of Justice	
was re	eceived by me on (a	date) August 9, 2019		
	☐ I personally s	erved the summons on the individ	ual at(place)	
			on (date)	; or
	☐ I left the sum	mons at the individual's residence	or usual place of abode with (name)	
			erson of suitable age and discretion who re	,
	on (date)	, and mailed a copy	to the individual's last known address; or	
	☐ I served the s	ummons on (name of individual)		, who is
	designated by la	w to accept service of process on	behalf of (name of organization)	_
			on (date)	; or
	☐ I returned the	summons unexecuted because		; or
	Other (specify).			
		On August 12, 2019, I caused to be on the U.S. Department of Justice, w	served via certified mail a copy of the summons which was delivered on August 16, 2019.	s and the complaint
	My fees are \$	for travel and \$	for services, for a total of \$	0.00
	I declare under p	enalty of perjury that this informat	ion is true.	
Date:	8/19/19	_	The Tolly	
			Server's signature	
			Ryan D. White, Associate	
			Printed name and title	
			Massachusetts Ave NW nington, DC 20001	
			Server's address	

### UNITED STATES DISTRICT COURT

for the

District of Columbia

ANDREW G. MCCABE	) ) )
DI 1 1000	- )
Plaintiff(s)	,
v.	Civil Action No.
WILLIAM P. BARR, in his official capacity as ATTORNEY GENERAL OF THE UNITED STATES; U.S. DEPARTMENT OF JUSTICE; CHRISTOPHER A. WRAY, in his official capacity as DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION; and FEDERAL BUREAU OF INVESTIGATION.	)
Defendant(s)	. )
CHIRGRADIC	IN A CHUIT A COTTON

### SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

Christopher A. Wray, in his official capacity as Director of the Federal Bureau of Investigation Federal Bureau of Investigation 935 Pennsylvania Avenue, N.W. Washington, DC 20535

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, whose name and address are:

Howard N. Cayne Murad Hussain
Owen Dunn
Ryan D. White
ARNOLD & PORTER KAYE SCHOLER LLP
601 Massachusetts Avenue, N.W.
Washington, DC 20001-3743
(202) 942-5000



Civil Action No. 19-2399

### PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (1))

was re	This summons for (naneceived by me on (date)	ne of individual and title, if any August 9, 2019	Christopher A. Wray, Direct	or of the Federal Bureau of Investigatio
	☐ I personally served	the summons on the indiv	vidual at <i>(place)</i>	
			on (date)	; or
	☐ I left the summons a		ace or usual place of abode with	
			a person of suitable age and dis	•
	on (date)	, and mailed a co	opy to the individual's last know	wn address; or
	☐ I served the summo	ns on (name of individual)		, who is
	designated by law to a	ccept service of process of	on behalf of (name of organization)	
			on (date)	; or
	☐ I returned the summ	ons unexecuted because		; or
	Other (specify):			
	On August 12,	2019, I caused to be served BI Director Christopher A. V	d via certified mail a copy of the su Vray, which was delivered on Augu	mmons and of the ust 16, 2019.
	My fees are \$	for travel and \$	for services, f	or a total of \$
	I declare under penalty	of perjury that this inform	nation is true.	
Date:	8/19/19		They Is	tal
			Server's si	gnature
			Ryan D. White, Associate	
			Printed name	e and title
			601 Massachusetts Ave NW Washington, DC 20001	
			Server's a	ddress

### UNITED STATES DISTRICT COURT

for the

District of Columbia

ANDREW G. MCCABE	)		
Plaintiff(s)  V.  WILLIAM P. BARR, in his official capacity as ATTORNEY GENERAL OF THE UNITED STATES; U.S. DEPARTMENT OF JUSTICE; CHRISTOPHER A. WRAY, in his official capacity as DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION; and FEDERAL BUREAU OF INVESTIGATION.  Defendant(s)	) ) () () () () () () () () () () () ()	Action No. 19-cv-02399-RDI	M
Defendant(s)	)		

#### SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

Federal Bureau of Investigation 935 Pennsylvania Avenue, N.W. Washington, DC 20535

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, whose name and address are:

Howard N. Cayne Murad Hussain

Owen Dunn
Ryan D. White
ARNOLD & PORTER KAYE SCHOLER LLP

601 Massachusetts Avenue, N.W. Washington, DC 20001-3743 (202) 942-5000



Civil Action No. 19-2399

### PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (1))

	This summons for (nat	me of individual and title, if an	y) Federal Bureau of Investigation		
was re	eceived by me on (date)	August 9, 2019	<u> </u>		
	☐ I personally served	I the summons on the indi	ividual at <i>(place)</i>		
			on (date)	; or	
	☐ I left the summons	at the individual's reside	ence or usual place of abode with (name)		
		,	a person of suitable age and discretion who re-	sides there,	
	on (date)	, and mailed a c	copy to the individual's last known address; or		
	☐ I served the summo	ons on (name of individual)		, v	vho is
	designated by law to	accept service of process	on behalf of (name of organization)		
			on (date)	; or	
	☐ I returned the sumr	nons unexecuted because	,		; or
	Other (specify): On August 12 the complaint	t, 2019, I caused to be serve on the Federal Bureau of In	ed via certified mail a copy of the summons and evestigation, which was delivered on August 16, 201	9.	
	My fees are \$	for travel and \$	for services, for a total of \$	0.00	
	I declare under penalty	y of perjury that this infor	rmation is true.		
Date:	8/19/19	_	They What		
	,		Server's signature		
			Ryan D. White, Associate		
		_	Printed name and title		
			601 Massachusetts Ave NW Washington, DC 20001		
			Server's address		

### UNITED STATES DISTRICT COURT

District of Columbia

ANDREW G. MCCABE	) ) )		
Plaintiff(s)  V.  WILLIAM P. BARR, in his official capacity as ATTORNEY GENERAL OF THE UNITED STATES; U.S. DEPARTMENT OF JUSTICE; CHRISTOPHER A. WRAY, in his official capacity as DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION; and FEDERAL BUREAU OF INVESTIGATION.	)	Civil Action No.	19-cv-02399-RDM
Defendant(s)	)		

#### SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

United States of America (served as required by Fed. R. Civ. P. 4(i)(2)) c/o U.S. Attorney Jessie K. Liu U.S. Attorney's Office 555 4th St., N.W. Washington, DC 20530

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Howard N. Cayne Murad Hussain

Murad Hussain Owen Dunn Ryan D. White ARNOLD & PORTER KAYE SCHOLER LLP 601 Massachusetts Avenue, N.W. Washington, DC 20001-3743 (202) 942-5000



Civil Action No. 19-2399

### PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (1))

	This summons for	(name of individual and title, if any)	Jessie K. Liu, U.S. Attorney fo	or the District of	Columbia	
was r	received by me on (date	e) August 9, 2019				
	☐ I personally serv	ved the summons on the individ	dual at <i>(place)</i>			
			on (date)		; or	
	☐ I left the summo	ons at the individual's residence				
	on (data)		person of suitable age and disc		sides there,	
	on (date)	, and mailed a cop	y to the individual's last know	vn address; or		
	✓ I served the sum	mons on (name of individual)	Jessie K. Liu, U.S. Attorney for the	the District of Co	olumbia , who is	S
	designated by law	to accept service of process on	behalf of (name of organization)	United S	tates of America	
			on (date) August	12, 2019	; or	
	☐ I returned the su	mmons unexecuted because			; or	
	☐ Other (specify):					
	My fees are \$	for travel and \$	for services, fo	or a total of \$	0.00	
	I declare under pena	alty of perjury that this informa	tion is true.			
	-2/-/			5		
Date:	8/19/19		fly alle	n		
			Server's sign	nature		
			Ryan D. White, Associate			
			Printed name	and title		
			01 Massachusetts Ave NW ashington, DC 20001			
			Samon's ad	Idnass		

Additional information regarding attempted service, etc:

On August 12, 2019, I caused to be served via certified mail a copy of the summons and the complaint on U.S. Attorney Jessie K. Liu, which was delivered August 19, 2019.

# **EXHIBIT B**











# **EXHIBIT C**

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## Delivered

August 16, 2019 at 5:44 am Delivered WASHINGTON, DC 20535

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**Tracking Number:** 70071490000139902006

Your item was delivered at 6:20 am on August 19, 2019 in WASHINGTON, DC 20530.



August 19, 2019 at 6:20 am Delivered WASHINGTON, DC 20530

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